

FIRST REGULAR SESSION

SENATE BILL NO. 634

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR LOUDON.

Read 1st time February 28, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

2467S.011

AN ACT

To amend chapter 338, RSMo, by adding thereto one new section relating to prohibiting the interchange of anti-epileptic drugs.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 338, RSMo, is amended by adding thereto one new section, to be known as section 338.058, to read as follows:

338.058. 1. For purposes of this section, the following terms shall mean:

(1) "Anti-epileptic drug", any drug prescribed for the treatment of epilepsy or the treatment or prevention of seizures;

(2) "Epilepsy", a neurological condition characterized by recurrent seizures;

(3) "Interchange", the substitution of one version of an anti-epileptic drug for the anti-epileptic drug originally prescribed, including:

(a) A generic for the prescribed brand;

(b) A brand for the prescribed drug;

(c) A generic by one manufacturer for a generic by a different manufacturer;

(d) A different formulation of the prescribed anti-epileptic drug;

or

(e) A different anti-epileptic drug;

(4) "Seizure", an acute clinical change secondary to a brief disturbance in the electrical activity of the brain.

2. Notwithstanding section 338.056 to the contrary, a pharmacist

20 shall not interchange an anti-epileptic drug without prior notification
21 and the signed, informed consent of the prescribing practitioner and
22 the patient or the patient's parent, legal guardian, or spouse.

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